

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TOMOKO FUNAYAMA,	:	CIVIL ACTION
Plaintiff	:	
	:	
v.	:	NO. 08-5599
	:	
NICHIA AMERICA CORP., et al.,	:	
Defendants	:	

ORDER

STENGEL, J.

AND NOW, this 20th day of May, 2009, upon consideration of the defendants' Motion to Dismiss (Document #6), it is hereby ORDERED that the motion is GRANTED IN PART and DENIED IN PART, as follows:

1. The defendant's motion to dismiss Count I of the Amended Complaint (Race/National Origin Discrimination in Violation of 42 U.S.C. § 1981) is GRANTED. Count I is hereby DISMISSED;
2. The defendant's motion to dismiss Counts II, IX–XII (Retaliation under Section 1981, Title VII, the ADEA, and the PHRA) is DENIED;
3. The defendant's motion to dismiss Counts IV, VI, VIII, X, XIV–XV (Gender, Age, Race/National Origin Discrimination and Retaliation under the PHRA) is DENIED.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, J.